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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/815,854	03/23/2001	Wolfgang Fleischer	3-31-4	5816

7590

12/24/2003

Docket Administrator (Room 3C-512)  
Lucent Technologies Inc.  
600 Mountain Avenue  
P.O. Box 636  
Murray Hill, NJ 07974-0636

EXAMINER

PHU, SANH D

ART UNIT

PAPER NUMBER

2682

DATE MAILED: 12/24/2003

5

Please find below and/or attached an Office communication concerning this application or proceeding.

<p align="center"><b>Office Action Summary</b></p>	<b>Application No.</b> 09/815,854	<b>Applicant(s)</b> FLEISCHER ET AL.	
	<b>Examiner</b> Sanh D Phu	<b>Art Unit</b> 2682	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-14 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. §§ 119 and 120**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
     a) ☐ All    b) ☐ Some \*    c) ☐ None of:  
         1. ☐ Certified copies of the priority documents have been received.  
         2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.  
         3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
     \* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.  
     a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                  | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). ____   |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948)                          | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) <u>4</u> . | 6) <input type="checkbox"/> Other: _____                                    |

DETAILED ACTION

*Information Disclosure Statement*

1. The IDS filed 04/12/02 has been considered and recorded in the file

*Claim Rejections – 35 USC § 102*

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3-14  
Claim 1, 4-14 are rejected under 35 U.S.C 102(e) as being anticipated by Chern et al (US2003/0060211).

Regarding to claim 1, Chern disclose (see Fig. 2) a method for identifying a provider of a service to a wireless terminal (130) in a wireless telecommunication network (140), comprising the steps of:

Step (202) for receiving a request to select a provider of a specific service from the wireless terminal (see Fig. 3, section [0053]);

Step (204) for monitoring the wireless terminal location (see Fig. 3, section [0049]–[0050];

Step (212), (214) for using the wireless terminal location to locate providers of the specific service requested which are proximate to the wireless terminal location (see section [0053]);

Step (206) and (208) for selecting one of the providers located (see section [0053]);

Step (208) for obtaining an identifier of the provider selected (see section [0053]); and

Step (210) for sending the identifier of the provider selected to the wireless terminal (see section [0053]).

Regarding to claim 3, Chern discloses that the identifier is a name and address (see section 0046)).

Regarding to claim 4, Chern disclose the provider of the service selected comprises non-product information (see section [0045]).

Regarding to claim 5, Chern disclose that the provider of the service selected is determined by the location of the provider relative to the location of the wireless terminal (see section ([0045])).

Regarding to claim 6, Chern disclose that the monitoring step (712) includes requesting wireless terminal location update events from a wireless network mobile location server and monitoring said update events as they are received (see Fig. 12, section [0080]).

Regarding to claim 7, Chern disclose (see Fig. 14) that the monitoring step (752) includes determining whether a change in location of the wireless terminal exceeds a location area size threshold (see Fig. 14, section [0081]).

Regarding to claim 8, Chern disclose that the location area threshold is based on the area served by the base station serving the wireless terminal (see section [0054]).

Regarding to claim 9, Chern disclose that step of locating providers of the service requested includes consulting a database containing location-specific service provider information (see section [0052]).

Regarding to claim 10, Chern disclose (Fig. 14) that the step (754) of locating providers of the service requested further includes consulting a service provider profile database to identify the category of service specified by the wireless terminal user (see section [0081]).

Regarding to claim 11, Chern disclose that the step of sending the identifier of the provider selected includes sending the identifier to the wireless terminal as an electronic document (see section [0089]).

Regarding to claim 12, Chern disclose further including displaying the identifier of the provider selected on a text-based (ASCII) or graphical display screen (see section [0089]).

Regarding to claim 13, Chern disclose further comprising the step of refreshing (data is listed as fresh if it is less than ten second) the identifier sent to the wireless terminal (see section [0089]).

Regarding to claim 14, Chern disclose that the step of refreshing the identifier is initiated by the mobile user from the wireless terminal (see section [0089]).

*Claim Rejections – 35 USC § 103*

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 2 is rejected under 35 U.S.C. 103(a) as being unpatentable over Chern et al (US2003/0060211) in view of Murray (US2002/0068583).

Regarding to claim 2 , Chern disclose that the identifier of the provider includes all relevant information about the provider (see section [0045]).

Chren does not disclose whether the identifier includes a contact phone's number of the service provider.

Murray teaches (see Fig. 10) providing users the contact's phone number of service provider for contacting. It would have been obvious for a person who skilled in the art to modify Chern's invention to include a contact's phone number in the identifier of the provider in order to assist the user able to contact the service provider when it is necessary.

*Conclusion*

4. References Jacobson et al (6,466,796) and Alewine et al (6,564,143) are additionally cited because they are pertinent to the claimed invention.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sanh D Phu whose telephone number is (703) 305-8635. The examiner can normally be reached on 8:00-16:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vivian Chin can be reached on 703-301-6739. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-8635.

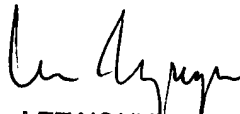
Sanh D. Phu  
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**LEE NGUYEN**  
**PRIMARY EXAMINER**